

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

BRYAN R. WHITTAKER (TX 24047097)
Special Assistant United States Attorney

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
Facsimile: (510) 637-3724
E-Mail: bryan.whittaker@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
KENNETH EUGENE HOLLOWAY,
Defendant.

Case No. CR 07-00344 CW

UNITED STATES' INFORMATION FOR
INCREASED PUNISHMENT BY
REASON OF PRIOR FELONY DRUG
CONVICTION UNDER 21 U.S.C. § 851

INFORMATION

Pursuant to the provisions of 21 U.S.C. § 851, the United States Attorney files this
Information alleging that:

1. On or about May 31, 2007, the defendant, KENNETH EUGENE HOLLOWAY, was
charged in Count One of the Indictment with knowingly and intentionally possessing with intent
to distribute a Schedule II controlled substance, namely, at least 5 grams of a mixture and
substance containing cocaine base (in the form of "crack" cocaine), in violation of Title 21,
United States Code, Sections 841(a)(1) and (b)(1)(B)(iii).

2. Prior to the time of the offense charged in this case, the defendant was convicted on or

INFORMATION

1 about August 29, 1988, in the Superior Court of California, County of Alameda, Case Number
2 92486A, of felony violations of :

3 a) California Health and Safety Code § 11351.5, specifically, possession of cocaine base
4 for sale; and

5 b) California Health and Safety Code § 11352, specifically, transportation, sale, giving
6 away of controlled substances.

(Attached as Exhibit 1 are court documents establishing this conviction.)

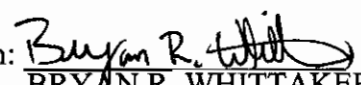
7 3. Because of these prior felony drug convictions, the defendant is subject to increased
8 punishment pursuant to the provisions of 21 U.S.C. §§ 841(b)(1)(B) and 851 if he is convicted of
9 the violation of 21 U.S.C. § 841(a)(1) as charged in Count One of the Indictment, namely, a
10 mandatory minimum 10-year term of imprisonment and a maximum of not more than life
11 imprisonment; a fine not to exceed \$4,000,000; and a mandatory minimum 8-year term of
12 supervised release.

13 4. The United States Attorney hereby gives notice to the defendant and his counsel that
14 if the defendant is convicted of Count One of the Indictment, the United States intends to rely on
15 his prior felony drug convictions in seeking enhanced punishment at the time of sentencing
16 pursuant to the provisions referenced herein.

17
18
19 DATED: January 15, 2008

JOSEPH P. RUSSONIELLO
United States Attorney


W. DOUGLAS SPRAGUE
Chief, Oakland Branch

20
21
22
23
24 (Approved as to form: 

BRYAN R. WHITTAKER
Special Assistant United States Attorney

25
26
27
28
INFORMATION